

AMENDED IN ASSEMBLY APRIL 27, 2000

AMENDED IN ASSEMBLY APRIL 5, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1759

Introduced by Assembly Member Papan

January 18, 2000

An act to add ~~Section 6253.1~~ *Sections 6253.1 and 11790.52* to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1759, as amended, Papan. Public records: Internet reports.

Under the California Public Records Act, certain public records are required to be made available for public inspection.

This bill would require every state agency that establishes and maintains, or causes to be maintained, a site on the Internet to ~~list make available on that the~~ *Internet site a list of* all reports and studies initiated and prepared by that state agency or prepared pursuant to a contract with that state agency that are otherwise subject to disclosure pursuant to the act. The bill would require these state agencies to ~~list make available on the site~~ *Internet a list of* all pending reports or studies. *These provisions would not become operative if AB 2100 is enacted.*

This bill also would require state agencies to submit proposals for posting on the Internet a list of its reports or

studies, as specified. This provision would become operative only if AB 2100 is also enacted.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *It is the intent of the Legislature to allow*
2 *Californians to access public information through the*
3 *California Public Records Act (Chapter 3.5*
4 *(commencing with Section 6250) of Division 7 of Title 1*
5 *of the Government Code) and to make citizens aware of*
6 *the good work that has been done and is being initiated*
7 *by state agencies. Furthermore, it is further the intent of*
8 *the Legislature to enable individuals to know succinctly*
9 *what information produced by state agencies is available*
10 *to the public upon request.*

11 SEC. 2. Section 6253.1 is added to the Government
12 Code, to read:

13 6253.1. (a) Every state agency that establishes and
14 maintains, or causes to be maintained, a site on the
15 ~~Internet shall list on that Internet site all reports and~~
16 *Internet shall make available on the Internet a list of all*
17 *reports and studies initiated and prepared by that state*
18 *agency or prepared pursuant to a contract with that state*
19 *agency, including, but not limited to, opinion polls,*
20 *surveys, and research projects, that are otherwise subject*
21 *to disclosure pursuant to this chapter. This list shall be*
22 *continuously updated to include every completed report*
23 *or study that is subject to disclosure not more than 10*
24 *working days after the completion of the report or study.*
25 *No report or study shall be removed from the list for a*
26 *period of one year from the date that it was added to the*
27 *list made available on the Internet. The state agency shall*
28 ~~*also list on this Internet site all pending reports or studies*~~
29 *make available on the Internet a list of all pending reports*
30 *or studies that it initiates and shall update this list not*
31 *more than 10 working days after the initiation of a*
32 *pending report or study.*

(b) For purposes of this section, “Internet” has the meaning set forth in paragraph (6) of subdivision (e) of Section 17538 of the Business and Professions Code.

SEC. 3. Section 11790.52 is added to the Government Code, to read:

11790.52. State agencies shall submit proposals to the California Internet Portal Management Authority for continued posting on the Internet, on or after July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99, a list of all reports or studies initiated and prepared by that state agency or prepared pursuant to a contract with that state agency. Proposals submitted for posting shall include content maintenance provisions, as provided by this chapter.

SEC. 4. Section 3 of this act conforms the additions to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) made by this act to policies regarding electronic governance envisioned by AB 2100 of the 1999–2000 Regular Session of the Legislature. Section 3 shall become operative only if both this bill and AB 2100 are enacted and become effective on or before January 1, 2001, in which case Section 2 shall not become operative.